

2005 No. 614

CLEAN AIR

**The Smoke Control Areas (Authorised Fuels) (Scotland)
Amendment Regulations 2005**

Made - - - - - *30th November 2005*

Laid before the Scottish Parliament *1st December 2005*

Coming into force - - - *1st January 2006*

The Scottish Ministers, in exercise of the powers conferred by sections 20(6) and 63(1) of the Clean Air Act 1993(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Smoke Control Areas (Authorised Fuels) (Scotland) Amendment Regulations 2005 and come into force on 1st January 2006.

(2) These Regulations extend to Scotland only.

Amendments to the Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 2001

2.—(1) Schedule 1 (authorised fuels) to the Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 2001(b) is amended as follows.

(2) In paragraph 3(e), for “1.5 per cent” substitute “2 per cent”.

(3) After paragraph 11B, insert—

“**11C.** Duraflame Firelogs, manufactured by Paramelt B.V., Costerstraat 18, PO Box 86, 1700 AB Heerhugowaard, The Netherlands, which—

- (a) comprise mineral-based petroleum wax (as to approximately 55 per cent of the total weight) and ground hardwood fibre (as to approximately 45 per cent of the total weight);
- (b) were manufactured from those constituents by a process of heat treatment and extrusion;
- (c) are firelogs approximately 320 millimetres in length, 90 millimetres high and 85 millimetres wide;
- (d) have an average weight of 1.45 kilogrammes per firelog; and
- (e) have a sulphur content not exceeding 0.1 per cent of the total weight.”

(a) 1993 c.11. Section 63(1) was amended by the Environment Act 1995 (c.25), Schedule 22, paragraph 199. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
(b) S.S.I. 2001/433 as amended by S.S.I. 2002/527.

(4) After paragraph 21, insert–

“**21A.** Multiheat briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which–

- (a) comprise anthracite (as to approximately 60 to 80 per cent of the total weight), petroleum coke (as to approximately 10 to 30 per cent of the total weight) and a molasses and phosphoric acid binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 300°C;
- (c) are unmarked pillow-shaped briquettes;
- (d) have average weights per briquette of either 55 or 80 grammes; and
- (e) have a sulphur content not exceeding 2 per cent of the total weight.”.

(5) In paragraph 23(e), for “1.5 per cent” substitute “2 per cent”.

(6) After paragraph 25, insert–

“**25A.** Stoveheat Premium briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which–

- (a) comprise anthracite duff (as to approximately 65 to 85 per cent of the total weight), petroleum coke (as to approximately 20 per cent of the total weight) and a molasses and phosphoric acid binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 300°C;
- (c) are unmarked ovoid-shaped briquettes;
- (d) have an average weight of 40 grammes per briquette; and
- (e) have a sulphur content not exceeding 2 per cent of the total weight.”.

(7) In paragraph 30(d), for “75 grammes” substitute “80 grammes”.

(8) After paragraph 31, insert–

“**32.** ZIP Cracklelog firelogs, ZIP Crackle-log firelogs and ZIP Crackling Log firelogs, manufactured by Allspan B.V., Macroweg 4, 5804 CL Venray, The Netherlands, which–

- (a) comprise slack wax (as to approximately 55 per cent of the total weight), hardwood sawdust (as to approximately 42 per cent of the total weight) and crackle seeds (as to approximately 3.2 per cent of the total weight);
- (b) were manufactured from those constituents by a process of heat treatment and extrusion;
- (c) are firelogs approximately 235 millimetres in length and 80 millimetres in diameter, with grooves along the faces;
- (d) have an average weight of 1.1 kilogrammes per firelog; and
- (e) have a sulphur content not exceeding 0.1 per cent of the total weight.

33. ZIP Firelogs, manufactured by Woodflame Moerdijk B.V., Apolloweg 4, Harbour No: M189A, 4782 SB Moerdijk, The Netherlands, which–

- (a) comprise slack wax (as to approximately 55 to 60 per cent of the total weight) and hardwood sawdust (as to approximately 40 to 45 per cent of the total weight);
- (b) were manufactured from those constituents by a process of heat treatment and extrusion;
- (c) are firelogs approximately 255 millimetres in length and 75 millimetres in diameter, with grooves along one longitudinal face;
- (d) have an average weight of 1.3 kilogrammes per firelog; and
- (e) have a sulphur content not exceeding 0.1 per cent of the total weight.”.

Savings

3. Notwithstanding the amendments, made by regulation 2(7), to paragraph 30 of Schedule 1 to the Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 2001, the authorised fuels as described in those paragraphs before the coming into force of these Regulations shall continue to be authorised fuels.

St Andrew's House,
Edinburgh
30th November 2005

RHONA BRANKIN
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Scotland only, amend the Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 2001 (“the 2001 Regulations”) by—

- (a) making minor changes to the descriptions in paragraphs 3 (Ancit briquettes), 23 (Phurnacite briquettes) and 30 (Taybrite briquettes) in Schedule 1 (authorised fuels) to the 2001 Regulations, (regulation 2(2), (5) and (7)), and
- (b) introducing new paragraphs 11C (describing Duraflame Firelogs), 21A (describing Multiheat briquettes), 25A (describing Stoveheat Premium briquettes), 32 (describing ZIP Cracklelog firelogs, ZIP Crackle-log firelogs and ZIP Crackling Log firelogs) and 33 (describing ZIP Firelogs) into Schedule 1 to the 2001 Regulations (regulation 2(3), (4), (6) and (8)).

A full regulatory impact assessment has not been produced for these Regulations as they have no impact on the costs of business.

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